

HANOVER TOWNSHIP, LEHIGH COUNTY
SPECIAL COUNCIL MEETING

February 26, 2014
7:00 P.M.

Present: Councilmen Heimbecker, Martucci, Paulus, Wegfahrt, Woolley; Sandra A. Pudliner; Vicky Roth; J. Jackson Eaton, III; Frederick W. Hay, P.E.

Absent: 0

Attendance: 12

New Business:

1. Proposed Development in Allen Township (Review and Discussion)

Chairman Paulus opened the discussion by indicating that as part of their review of this proposed development a Courtesy of the Floor will be permitted. Chairman Paulus noted that the Courtesy of the Floor is basically for residents and taxpayers of the community of Hanover Township, Lehigh County. However, if there is something to be brought to the Board's attention pertaining to the Township, we will have a period of time to allow comments from other individuals in attendance at the meeting.

The Township Attorney opened the discussion by indicating that this is the Township's initial opportunity for Council to discuss the proposed development in Allen Township. He noted it will have a substantial impact on Hanover Township, Lehigh County and in the nature of things, the best time to have the Township's concerns addressed is to try to determine what the issues are early on and then have the Township and staff move ahead to take care of those things. Early on Attorney Eaton stated the Township had determined that traffic issues would be a major issue. As a result of that, the Township engaged a Traffic Engineer to review the plans and make recommendations to the Developer and PennDOT. The Township would need to find out how the Developer and PennDOT would respond to the comments of the Traffic Engineer relative to the development, the substantial road improvements, traffic light improvements, cost of construction, as well as future improvements and needs. Attorney Eaton noted there is no tax benefit to the Township to cover the cost of the roads. The Township's Engineer reviewed the plans and he needs to determine how to cover the costs. Storm water is an issue. The Township needs to make sure that storm water is not draining into the Township. With respect to sanitary sewer, the Developer may ask to purchase capacity which the Township currently has in the Catasauqua Treatment Plant. The Developer may also wish to use the Township's transmission lines for the sewage. With respect to a water issue, that does not appear to be a concern for the Township. There are other issues beyond the obvious ones. Attorney Eaton noted that one such issue would be consideration of a traffic light to guide

traffic on and off Grove Road onto Airport Road. Although this may not justify a traffic light by meeting the necessary traffic warrants, Attorney Eaton noted that the Township does have a public institution here and we may want to ask them to give consideration for a signal light. The issue is the fact that this development and the traffic generated will add to the cost of Hanover Township and all those costs should be placed on the table now.

At this point in the meeting, Chairman Paulus questioned the Township Engineer if he wanted to add his comments at this time. Prior to doing so, Vice Chairman Heimbecker questioned whether or not there was any other way for the Allen Township Development to be channeled other than through the Township. The Township Engineer commented that the Developer had looked at Weaversville Road but because of the road not lining up, it was not feasible to consider that roadway. Vice Chairman Heimbecker questioned whether or not the Township will be compelled to let this happen. Attorney Eaton commented that he wouldn't consider this issue as something the Township will be compelled to address. But, he did note that we don't have much leverage. The Township Attorney commented that Willowbrook Road is a Township road and he also commented that the property owners on both sides of Willowbrook Road would probably allow the road widening. He further noted that it is highly unlikely that the Township can prevent a development in another township. The Township could raise issues if there are some costs not reimbursed to the Township. Vice Chairman Heimbecker questioned whether this development is a normal development. Attorney Eaton commented that the proposed development is in an area for which it is properly zoned. He also commented that the state could come in and take over Willowbrook Road in Hanover Township.

At this point in the meeting, the Township Engineer spoke to the Board. He indicated he has provided the Board with copies of various correspondences to include the Township's Traffic Engineer's review letter as well as Allen Township's Engineer's review of the plan submitted to the Allen Township Planning Commission. The Township Attorney noted that the plans the Township received didn't show Willowbrook Road or the way to Race Street. The culvert needs to be extended and since the permit is in our name that is an issue. The Rockefeller Group is proposing a 15,000 gallon per day in sewer flow. Since the Township has excessive capacity in the Catasauqua Sewer Plan, the allocation is available. The Township also has capacity in our sewer interceptor. Mr. Hay noted that there would have to be agreements between the two municipalities if the Township allows them to run sewage through our lines. There are no water issues. Mr. Hay did note that he questioned where the Developer is getting the land from for the widening improvements. For example, the Air Gas facility on Race Street is close to the road presently. Also, the Township Engineer thought the 2015 goal for the work to be completed is very optimistic. He noted that it took the Township one and one-half years to get a culvert permit on Irving Street. The Township Engineer also raised the issue of a yearly contribution for maintenance for the traffic signals in the Township affected by this

development. Also, Mr. Hay noted that there is an issue regarding maintenance of the roads, in particular, Willowbrook Road as same relates to more paving requirements and snow removal requirements, etc. The Township Attorney questioned the Township Engineer as to whether or not the Developer has responded to the Township's comments as raised by the Township's Traffic Engineer. The Township Engineer noted that there has been no response. With respect to the Township's comment letters regarding the plans for this Development as prepared by the Township Engineer, Vice Chairman Heimbecker questioned Item No. 5 under General Comments where it is noted that an Intermunicipal Agreement shall be entered into with Allen Township. The Township Engineer noted that the reference is to the sewer requirements of Allen Township for this development. Councilman Woolley questioned where Allen Township has sewage in that area and the Township Engineer noted that they don't have any and that there are nothing but wells and septic in that area. The Township Attorney commented that the Township had secured substantial capacity in the Catasauqua Sewer Plant when at one point in time it was contemplated that the Willowbrook Road area within the Township would be heavily developed. But, that never came to pass due to the fact that the property was condemned by the Airport. Now the Township has the substantial capacity for which we are responsible. The Township can sell some of that capacity to Allen Township and by doing so remove some of the Township's costs for holding said capacity.

Councilman Wegfahrt questioned whether there are any future studies proposed for Route 22. Keith Lawler, the Township's Traffic Engineer advised that to his knowledge there were no studies proposed. Vice Chairman Heimbecker brought up the cost estimate for any improvements being submitted to the Township for review and the Township Engineer noted that the cost estimate for any improvements must be submitted to his office. The Developer must secure all improvements. Should something happen, the Township can then go in and finish the job. The Township Engineer noted that those agreements would be between Hanover Township and the Developer. The Township Attorney commented that when the improvements are completed the Developer would have maintenance obligations after the completion. The Township Engineer noted that the Rockefeller Group has set up an Escrow with the Township to cover the Township's costs. Vice Chairman Heimbecker commented on the Township Engineer's review letter, in particular, under sanitary comments, Item No. 4 which relates to the flow channel. The Township Engineer noted that what they are proposing is not the way the Township does this and that they need to address the issue.

There was a discussion which occurred at this time regarding the traffic improvements which need to be put in place to support the development. Councilman Woolley questioned the Township Engineer regarding the land in Hanover Township and its ownership. He was of the opinion that the land was owned by the Airport. The Township Engineer indicated that he is basically correct except for the land at the intersection of Race Street and

Willowbrook Road on either side which is privately owned. The Township Engineer also noted that on Race Street in the vicinity of the Air Gas facility that facility is very close to the road. The Township Engineer also noted that the Township has not seen the plans for Race Street and Airport Rd. Councilman Wegfahrt questioned the Township Engineer as to whether or not there has been any kind of impact studies done as to how this development affects Hanover Township. The Township Engineer indicated he did not know of any. Councilman Woolley questioned the impact of this development on emergency vehicles. He indicated that he worries about the Township's fire department. Chairman Paulus questioned whether or not there was any way that Willowbrook Road could be extended to Route 22 going over Airport property and the Township Engineer noted that could not be accomplished because it would require cutting through a runway located on the Airport's property. The Township Attorney noted that there had been old plans showing Willowbrook Road being extended across into Airport land. However, since that time, the runways have become a problem. Councilman Martucci questioned whether or not the Township is aware of how far the planning process has progressed in Allen Township. The Township Engineer commented that he didn't feel they were even close to getting any approvals. Vice Chairman Heimbecker commented that if it is a reality that this may go through and proceed through the Township onto Route 22 why are we not asking what happens to air quality, noise quality, quality of life, etc. The Township Engineer noted that PennDOT will say it is okay. Vice Chairman Heimbecker said that common sense would say otherwise. The Township Engineer noted that the Township can look at the impact on Route 22. In that regard, the Township Attorney questioned the Board as to whether or not they would like the Township's Traffic Engineer to do a study on the Route 22 impact. The Board as a whole felt that would be a good idea and in that regard made the following Motion:

Motion: I move that we authorize the Township's Traffic Engineer to perform a study on the impact to Route 22 as a direct result of the Rockefeller Group Development proposed in Allen Township.

Heimbecker, Wegfahrt: Moved and Seconded

Heimbecker, Martucci, Wegfahrt, Woolley, Paulus: Aye Unan.

Councilman Woolley noted that he felt that this development would result in an increase in air traffic at the Airport. Chairman Paulus noted that they are saying that it is strictly ground but it appears that a connection with the Airport is likely. Councilman Wegfahrt questioned the impact on the quality of life in the area as well as the effect on property values.

At this point in the meeting, Chairman Paulus advised all in attendance that he had asked the Township's Fire Chief, Robin Yoder, to come to the meeting. Mr. Yoder approached the Board at this time and indicated that he had looked at a few things regarding this proposed development. Mr. Yoder noted that Route 22 is gridlocked early in the morning and in the afternoon between the hours of 3:00-6:00 P.M. The Fire Chief also advised that he

measured ten miles of road that the Fire Company has to travel. If the Fire Company needs to go over the bridge with two lanes of traffic, you have to go down the center of the road and then you have approximately one inch on each side of the fire vehicle. Vice Chairman Heimbecker questioned what would happen if you have two semis side-by-side on the bridge. Mr. Yoder noted that if they are over totally to the side, he can make it through. The Fire Chief also indicated that he does understand that they are going to increase the width of the bridge, in particular, the Lehigh River Bridge. With respect to traffic counts, Mr. Yoder noted that there are approximately 76,000 cars that travel the roadway between Fullerton and Airport Road on a given day. The Township's Fire Chief also cited a total of 57 accidents in 2013 in this area. The Township's Fire Chief also advised the Board that the other reason he is before the Board this evening relates to the Township's cost for fire equipment. As the Board is aware, the cost for fire equipment is extremely expensive and the Board is scheduled to replace the Township's Pumper Rescue in 2017. Vice Chairman Heimbecker questioned the use of the pumper rescue for hazmat operations and the Fire Chief indicated that the use for hazmat purposes is minimal and that the Township does have a truck right now for hazmat. The Township can handle diesel spills. He noted that the current pumper rescue is mainly an engine plus rescue. However, when the replacement occurs, the new truck will be set up as a rescue/engine. The vehicle would be used for firefighting but beefed up for rescue. Vice Chairman Heimbecker questioned how the Township is prepared for a multi-truck accident. Mr. Yoder noted that he felt the area is prepared since we have four heavy duty fire companies in the area. The problem is getting to the scene of the accident. The Township's Fire Chief indicated that the Township utilizes mutual aid with other fire companies in the area. And in a situation where there are multiple tractor trailers and cars involved in an accident, he would call for help, but of course it would take them time to get there. Councilman Wegfahrt commented that if you have an increased usage of the vehicles you may need a backup system. Councilman Martucci worried over a situation where you have an accident and a fire in the Township at the same time. The Fire Chief noted that can happen but that the Township does rely on mutual aid and additionally the Fire Chief noted that the Township's industrial buildings are very well sprinklered. There was a discussion regarding the cost of equipment and in particular a new pumper rescue which is scheduled to be purchased on or about the year 2017. The Township's Fire Chief noted that the cost right now would be approximately \$750,000. He felt that the Township should not have to pay for people building in another community which would require more man power and responsible for excessive traffic in the area. Mr. Yoder indicated that he didn't know if the Township is in a position to ask Federal Express to fund the truck purchase but even if they paid for a portion that would be very helpful. The Fire Chief suggested that perhaps they should put the money upfront and then the Township could reimburse our portion minus what they are willing to pay. Mr. Yoder also advised that the Township will need to redesign a new pumper rescue to meet the qualifications of what is being put in and it appears that the majority of the accidents are tractor trailer accidents.

Councilman Wegfahrt questioned whether or not there is sufficient housing for the Township's equipment and Mr. Yoder indicated that there is sufficient housing and what they would be doing is replacing existing equipment. The old equipment would be sold off. Councilman Woolley questioned whether or not our Fire Department was the closest in response time for problems on Route 22. The Fire Chief indicated that Catasauqua Borough may be there before us but then it would be the Township's Fire Department and then Allen and East Allen Townships.

At this point in the meeting, the Township Attorney indicated that as previously noted this meeting is to discuss the Township's concerns and what the Township would like to see should this development become a reality. In that regard, he noted that the Township Manager indicated that a light at Grove Road would be desirable. The Township Engineer commented that there would not be enough traffic warrants allowing for such light. The Township Manager noted she still felt the Township could ask for consideration for such a light. The Township Manager also entered into a discussion regarding the property which the Airport currently owns in Hanover Township. The theory is that for FAA requirements, the Airport under its master plan will not build on the property in Hanover Township, Lehigh County. The Township Manager advised Council that at one of the initial meetings with the Rockefeller Group regarding their proposal, there had been a discussion regarding why the Airport could not consider utilizing the property in Hanover Township for short term uses to include gas station facilities or flex buildings. These facilities could be constructed at a lower cost and when the time comes for the runway to be put in place could be removed. This would restore the property in Hanover Township onto the Township's tax rolls. The Township Manager advised that although Rockefeller Group thought the idea was a good idea and would discuss same with the Airport there was no response since that time. The Township Attorney commented that we had indicated to them at the time if this would be discussed we would like to be present when such discussions took place. Councilman Woolley commented that he was of the opinion that the Airport would eventually build air cargo facilities on the property in Hanover Township. The Township Manager reiterated that currently it's her understanding that the FAA will not permit anything to be built on the property but as indicated previously the Township Manager felt the Township should ask the Airport that consideration be given to approaching the FAA regarding utilizing the property in Hanover Township.

There was discussion at this point in the meeting with respect to moving the bus stop off of Race Street and onto Cascade Drive or a 50 foot offset off the highway for such bus stop. Chairman Paulus questioned whether there were any residents in attendance that had anything to add. In that regard, Diane Szabo of 1911 Troxell Street approached the Board at this time. She noted that she attended the Planning Commission Meeting in Allen Township when the plan was first submitted to that Board. She indicated that her take from that meeting was that Fed Ex would not allow any type of public transportation on their property. There was a discussion at this point

in time between Chairman Paulus and Kimberly Nappa of 382 East Bullshead Road in Allen Township regarding the proposed development. Mrs. Nappa indicated that this development unlike what is being publicized would not create 800 new jobs. She noted that only 282 new jobs would be forthcoming and that they would simply transfer individuals from other facilities to this location.

At this point in the meeting, John Mattaboni of 15 Country Road in Allen Township approached the Board. Mr. Mattaboni advised Council that they had been successful in setting up a meeting with State Representative Julie Harhart at which time the residents in attendance at the meeting had expressed to her their major concern over Route 22. She set up a meeting with two PennDOT officials for them. At that meeting, the PennDOT officials indicated that they didn't consider this a big issue and that the 22 widening from 15th Street to Airport Road would take place within eight to ten years. In the interim before the work is actually accomplished, PennDOT would be doing studies and doing drawings regarding the work. With respect to work on Airport Road to Route 512, the projection is that the work would be accomplished with 15 years. At this point in the meeting, Michael Givey of 197 East Bullshead Road in Allen Township joined Mr. Mattaboni at the podium. They referenced the information they had in front of them regarding total trip generation. Mr. Givey noted that during the rush hour they are the biggest numbers between 5:00-7:00 P.M. showing 1,000 vehicles going out. This relates to one vehicle every six or seven seconds. With respect to arriving from Route 22, the figures show 700 vehicles coming northbound. With respect to morning traffic between the hours of 6:00-8:00 A.M., the figures show 700 vehicles departing from the FedEx facility. Mr. Mattaboni advised Council that with respect to their meeting with PennDOT which was to be rescheduled, they pushed the meeting back and in the interim PennDOT signed off on the plans.

Vice Chairman Heimbecker advised all in attendance that the Township Board is concerned over what we all have to live with. Councilman Woolley indicated that this Board is concerned about Allen Township residents. Mr. Mattaboni noted that their supervisors don't seem to care and one of the board members had actually indicated to the residents after one of the meetings that "you guys are clueless". Councilman Martucci questioned Mr. Mattaboni as to what is the current disposition of this matter. Mr. Mattaboni indicated that currently the Developer received an extension until June. It was also noted that this project moving forward is not a done deal.

Mr. Mickey Philpott of 5016 Saw Grass Drive in Allen Township appeared before the Board at this time. Mr. Philpott provided the Board with an analysis which had been prepared titled, Plan DC/Warehouses Along Willowbrook Road-Allen Township. The breakdown was listed as Step 1 and Step 2. Step 1 being the current proposed development and Step 2 being the two additional 1 million square foot warehouse developments. The chart shows the trips per day for Steps 1 and Steps 2. A copy of the information provided is attached hereto and made a part hereof.

Mr. Noll of Pinehurst Drive in Allen Township also approached the Board. There was a discussion with respect to the study the Township would be doing of Route 22. The Township Engineer commented that he would try to report back to the Board regarding same at the next meeting. Chairman Paulus commented that once we get the numbers on Route 22 we want to get to our elected officials. Mr. Mattaboni commented that he addressed these issues with their Representative Julie Harhart. She indicated that PennDOT does not answer to politicians. The Township Attorney commented that while most issues in municipalities are local the issues regarding Route 22 are very significant. He felt that they should provide the Township will political leverage. Attorney Eaton noted that if there is a basis in the traffic study of Route 22, which would indicate there are serious problems, then things can happen. Councilman Woolley questioned whether or not the Lehigh Valley Economic Development Corporation is concerned over this problem. Vice Chairman Heimbecker questioned what's going to happen when the Iron Pigs have a game. Kimberly Nappa commented that she wished to thank the Township for doing the study on Route 22. She expressed her concern that we need to get regional with this problem. She felt that everyone traveling on Route 22 will be affected.

Mr. Philpott, along with other members in attendance from Allen Township, complimented the Board members in Hanover Township, Lehigh County, for taking these issues seriously and developing a professional approach with the handling of this matter unlike the Board of Supervisors in Allen Township. Chairman Paulus commented that this Township had an election in November, 2013. There was an issue involving a developer and the people in the Township approached the then Board indicating that they were opposed to accommodating said developer. However, some of the Board members accommodated the Developer in spite of the objections of the residents. Right now we have a new Board in Hanover Township as a result of that matter.

There was a discussion initiated by Councilman Woolley with respect to the tower on the property which may need to be moved. Mrs. Nappa commented that they may need to move it but they are still looking into the matter. Mr. Philpott commented that with respect to the \$23,000,000 plus that has been noted as the cost for the road improvements, it is his understanding that FedEx is not paying that but they are looking for grants to cover those costs. There was also discussion with respect to FedEx receiving a tax abatement as well as \$1,000 per full-time employee for training.

Discussions regarding this matter were concluded at this time.

Adjournment:

The meeting was adjourned at 8:40 P.M.

Respectfully submitted,

Sandra A. Pudliner
Township Manager